

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

JAMES R. BARTA, A&A DRUG, INC.)	
and SAV-RX, LLC,)	
)	
Plaintiffs,)	8:05CV35
)	
vs.)	ORDER
)	
CANARX SERVICES, INC.,)	
)	
Defendant.)	

This matter is before the Court on the Motion for Stay Pending Appeal of Magistrate Judge's Order ("Motion for Stay") (Filing No.25) filed by Plaintiffs seeking a stay pending appeal of the Order (Filing No. 22) granting Defendant's Motion for Leave to File Third-Party Complaint (Filing No. 18). Having reviewed the Motion, I find it should be granted. Accordingly,

IT IS ORDERED:

1. The Motion for Stay (Filing No. 25) is hereby GRANTED;
2. The effect of the Order (Filing No. 22) granting the Motion for Leave to File Third-Party Complaint (Filing No. 18) is hereby STAYED pending a ruling on Plaintiffs' Statement of Appeal (Filing No. 23).

DATED October 27, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**